

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

BRYSHAAD RJ JEFFRIES,

PETITIONER

v.

No. 1:11CV51-M-A

STATE OF MISSISSIPPI, ET AL.

RESPONDENTS

MEMORANDUM OPINION

This matter comes before the court on the *pro se* petition of Bryshaad RJ Jeffries for a writ of *habeas corpus* under 28 U.S.C. § 2254. The state has moved to dismiss the petition for failure to state a claim upon which relief could be granted. Jeffries has not responded, and the deadline for response has expired. For the reasons set forth below, the state's motion to dismiss will be granted and the instant petition dismissed without prejudice for failure to state a constitutional claim.

Discussion

As the state noted in its motion to dismiss, not only has Jeffries failed to state a constitutional claim, he has not stated *any* claim, as his petition is substantially blank. The state's motion will thus be granted. As it is not clear whether Jeffries mistakenly filed the petition before completing it – or forgot to attach a memorandum setting forth his claims – the court will dismiss the petition without prejudice. A final judgment consistent with this memorandum opinion shall issue today.

SO ORDERED, this the 20th day of April, 2011.

/s/ MICHAEL P. MILLS

CHIEF JUDGE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF MISSISSIPPI